

PATENT

JOHNA.061A

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	Timm, et al.	)	Group Art Unit: 1762
Appl. No.	:	09/897,657	)	
Filed	:	June 29, 2001	)	
For	:	STERILIZATION OF BIOACTIVE COATINGS	)	
Examiner	:	Michener, Jennifer Kolb	)	

RESPONSE AFTER FINAL REJECTION

United States Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202  
ATTENTION BOX: AF

Dear Sir:

In response to the Office Action mailed October 22, 2002, Applicants respectfully request the Examiner to consider the following remarks.

REMARKSRejections under 35 U.S.C. § 103(a)

Claims 1-5, 8, 11, and 13-20 are rejected under 35 U.S.C. § 103(a) as unpatentable over Ikada, et al. (U.S. Patent No. 4,743,258).

Regarding Ikada, et al., the Examiner agrees that sterilization is not specifically taught by the reference but maintains that sterilization is inherent in the method of Ikada, et al. The Examiner asserts that one of ordinary skill in the art looking for a source of peroxides in the plasma discharge operation of Ikada et al. would have looked to the prior art and found hydrogen peroxide to be such a source. Upon selection of hydrogen peroxide as the source, sterilization would have become inherent.

Applicants have previously argued that Ikada et al. do not teach or suggest sterilization by any means, that one of ordinary skill in the art would not assume that the peroxide radicals produced in the practice of the method disclosed in Ikada, et al. would provide for sterilization in